

AMENDED IN ASSEMBLY JUNE 22, 2011

AMENDED IN SENATE MAY 10, 2011

AMENDED IN SENATE APRIL 25, 2011

AMENDED IN SENATE MARCH 25, 2011

SENATE BILL

No. 668

Introduced by Senator Evans

February 18, 2011

An act to add Section 51257.5 to the Government Code, relating to agricultural land.

LEGISLATIVE COUNSEL'S DIGEST

SB 668, as amended, Evans. Local government: Williamson Act.

The California Land Conservation Act of 1965, otherwise known as the Williamson Act, authorizes cities and counties to enter into 10-year contracts with landowners whereby the landowner agrees to restrict the use of his or her land in exchange for a reduced property taxation rate. Under existing law, the city or county receives a subvention for the property tax revenue lost as a result of these contracts.

This bill would, until January 1, 2016, authorize a nonprofit land-trust organization, a nonprofit entity, or a public agency to enter into a contract with a landowner who has also entered into a Williamson Act contract, upon approval of the city or county that holds the Williamson Act contract, to keep that landowner's land in contract under the Williamson Act, for a period of up to 10 years in exchange for the open-space district's, land-trust organization's, or nonprofit entity's payment of all or a portion of the foregone property tax revenue to the county, where the state has failed to reimburse, or reduced the

subvention to, the city or county for property tax revenues not received as a result of Williamson Act contracts.

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 51257.5 is added to the Government
2 Code, to read:

3 51257.5. (a) If the state fails to make payments to a city or
4 county pursuant to Section 16142 or 16142.1, or if the state
5 provides a reduced subvention, a city or county may accept
6 contributions from a nonprofit land-trust organization, a nonprofit
7 entity, or a public agency for specific land under a contract within
8 the city or county to supplement foregone property tax revenues
9 pursuant to this section.

10 (b) (1) A nonprofit land-trust organization, nonprofit entity, or
11 public agency may contract with an owner of land currently under
12 a contract pursuant to this chapter, upon approval of the contract
13 by the city or county, for a period of up to 10 years, to keep the
14 land owner's property under contract with the county pursuant to
15 this chapter, in exchange for the contribution by the nonprofit
16 land-trust organization, or nonprofit entity's payment for an
17 equivalent period of years of all or a portion of the foregone
18 property tax revenue to the city or county.

19 (2) A contract entered into pursuant to this subdivision shall be
20 subject to any limitation in power of a nonprofit land-trust
21 organization, nonprofit entity, or public agency.

22 (3) A contract entered into pursuant to this subdivision shall not
23 authorize or require the conversion of land subject to the contract
24 into a mitigation bank site.

25 (c) *In implementing this section, a city or county shall not*
26 *request or require additional conditions or restrictions on the land*
27 *or the landowner for existing or future contracts.*

28 (d) *This section shall not be construed as a limitation on the*
29 *right of a landowner to engage in other lawful contracts or*
30 *transactions with respect to their land, including, but not limited*
31 *to, contracts entered into pursuant to this chapter.*

32 (e)

1 (e) As used in this section, “nonprofit land-trust organization”
2 means a nonprofit land-trust organization as defined in subdivision
3 (b) of Section 5011.7 of the Public Resources Code.

4 ~~(d)~~

5 (f) No contract shall be entered into on or after January 1, 2016,
6 unless a later enacted statute, that is enacted before January 1,
7 2016, deletes or extends that date.

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